

HANNYE LLC

A PENNSYLVANIA LLC WITH LAW OFFICES IN
HADDONFIELD, NJ AND BALA CYNWYD, PA

Richard S. Hannyne
Managing Attorney
Admitted in NJ, PA, DC
Email hannyne@hannyne.pro

128 West Cottage Avenue
Haddonfield, NJ 08033
856 428 1775
Fax 856 428 1919

June 26, 2013

**ELECTRONICALLY FILED VIA COURT'S ECF
SYSTEM WITH COURTESY COPY BY REGULAR MAIL**

Chief Judge Jerome B. Simandle
Mitchell H.Cohen Building &U.S. Courthouse
1 John F. Gerry Plaza, Room 6010
P.O. Box 888
Camden, New Jersey 08101-0888

**Re: Fred Adami and Jack Varner v. Cardo Windows, Inc. d/b/a "Castle 'The Window People'", et al
Docket No. 1:12-cv-02804-JBS-JS**

Dear Chief Judge Simandle:

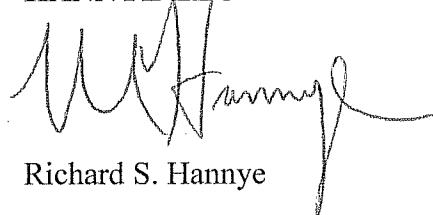
Plaintiffs oppose defendants' request for a 14 day extension of time to file their opposition to plaintiffs' motion for conditional certification of an FLSA "opt-in" collective action and motion for certification of a Rule 23 "opt-out" state wage class action. Plaintiffs' reasons are set forth in this firm's June 26, 2013 letter to Mr. Homans responding to his e-mail of the same date (attached).

For the reasons also set forth in our June 26, 2013 letter to Mr. Homans, plaintiffs have consented to defendants' brief exceeding by 3 pages the limitations of Rule 7.2.

Thank you for your time and consideration.

Very truly yours,

HANNYE LLC



The image shows a handwritten signature in black ink. The signature consists of stylized, flowing letters that appear to read "HANNYE" followed by "Richard S. Hannyne". The signature is written over a horizontal line.

Richard S. Hannyne

RSH:dd

Enclosures

cc: Michael Homans, Esquire (via e-mail and telefax)

richard hanny

From: Homans, Michael <Michael.Homans@flastergreenberg.com>
Sent: Wednesday, June 26, 2013 9:03 AM
To: 'richard hanny'
Cc: Bramble, Elisa
Subject: Request for extension

Importance: High

Rick,

We are going to request of Judge Simandle a 14-day extension on the time to respond to your motion, and an expansion of the page limit on the brief by 10 pages, in light of your brief going over the limit.

Please let me know today if you consent to these requests.

M
Michael
Michael D. Homans
Flaster/Greenberg PC

4 Penn Center, 1600 JFK Blvd., 2nd Floor, Philadelphia, PA 19103
Phone: 215-279-9379 Fax: 215-279-9394 Email: michael.homans@flastergreenberg.com

[email](#) | [bio](#) | [offices](#) | [v-card](#)

NOTICE: This electronic mail transmission constitutes an attorney-client communication that is privileged at law. It is not intended for transmission to, or receipt by, any unauthorized persons. If you have received this electronic mail transmission in error, please delete it from your system without copying it, and notify the sender by reply e-mail or by calling the sender, so that our address record can be corrected.

HANNYE LLC

A PENNSYLVANIA LLC WITH LAW OFFICES IN
HADDONFIELD, NJ AND BALA CYNWYD, PA

Richard S. Hannye
Managing Attorney
Admitted in NJ, PA, DC
Email hannye@hannye.pro

128 West Cottage Avenue
Haddonfield, NJ 08033
856 428 1775
Fax 856 428 1919

June 26, 2013

Michael D. Homans, Esquire
FLASTER GREENBERG
Four Penn Center
1600 John F. Kennedy Blvd., 2nd Floor
Philadelphia, PA 19103

**VIA TELEFAX – (215) 279-9394
and E-MAIL**

**Re: Fred Adami and Jack F. Varner, et al v. Cardo Windows, Inc. d/b/a “Castle
‘The Window People’”, et al
Docket No. 1:12-cv-02804-JBS-JS**

Dear Mr. Homans:

It is the practice of this office to routinely grant extensions of time requested by opposing counsel as a matter of professional courtesy. However, we have not received reciprocal professional courtesy from your office during this case, including your vigorous opposition to our request: 1) for an extension of time to file plaintiffs' class certification motions until such time as defendants have answered plaintiffs' Amended Complaint; and 2) for an extension of time to respond to defendants' motion for partial dismissal of plaintiffs' amended complaint. Indeed, based on defendants' past practice, your office would no doubt vigorously object to any request by plaintiffs for an extension of time to file their reply brief. Based on the fact that "the world is round" plaintiffs do not consent to your request for a 14 day extension of time to respond to plaintiffs' class certification motions.

Plaintiffs' 33 page brief was actually in support of two separate motions, one for certification of an FLSA "opt-in" collective action and one for certification of a Rule 23 "opt-out" state wage class action. Filing separate briefs for each of these motions would have reduced the page length for each brief to well less than the maximum set forth in Local Rule 7.2. Additionally, plaintiffs were entitled to file their motion for equitable tolling as a separate motion, which by itself would have reduced plaintiff's brief to well less than the maximum set forth in Local Rule 7.2. In sum, Plaintiffs' brief does not exceed the maximum length set forth in Local Rule 7.2 given that it is a brief in support of three separate motions.

HANNYE LLC

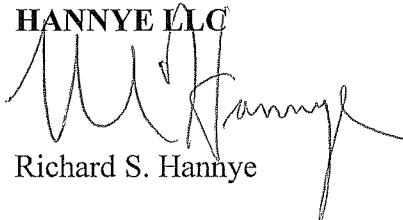
A PENNSYLVANIA LLC WITH LAW OFFICES IN
HADDONFIELD, NJ AND BALA CYNWYD, PA

June 26, 2013

Page Two

Finally, this office uses Times New Roman 12 on all pleadings, correspondence and motions and we were not aware until you brought it to our attention that under Local Rule 7.2(d) this font reduced the maximum length of a brief from 40 to 30 pages. Assuming *arguendo* that plaintiffs brief is in support of one motion and not three, plaintiffs' brief is three pages longer than permitted by Local Rule 7.2; and we consent to your brief in opposition being three (3)pages longer than permitted by Local Rule 7.2.

Very truly yours,

HANNYE LLC

Richard S. Hanny

RSH:dd